# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Shalong Maa, Ph.D.
Application No.: 10/688,269
Filing Date: 10-20-2003
Confirmation No.: 3782
Art Unit: 2109
Examiner: BELOUSOV, ANDREY
Title: "COMPUTER REMOTE CONTROL"

**TO:** **Mail Stop Amendment**
**Commissioner for Patents**
**P.O. Box 1450**
**Alexandria, VA 22313-1450**

**Fax:** (571) 273-8300

Dear Sir:

## APPLICANT'S STATEMENT OF SUBSTANCE OF INTERVIEW

With respect to the above-captioned patent Application and to the Final Office Action
dated 26 April 2007, a Telephone Interview, initiated by the undersigned *pro se* Applicant (via
Phone No. (571) 272-6722)), was conducted between the Supervisory Primary Examiner James
W. Myhre (hereinafter, the "S. Examiner") and the Applicant Shalong Maa. The time of the
Interview was 1:00pm–2:00pm EST (12:00noon–1:00pm CT) on 08 May 2007. The Interview was
pre-scheduled by telephone. The participants of the Interview also included the Examiner Andrey
Belousov in addition to the Supervisory Primary Examiner and the Applicant. Applicant's
Statement of Substance of the Interview is as follows:

**(A)     Exhibit/Demonstration Shown or Conducted**

There was no demonstration conducted during the Interview. The issues desired by
Applicant to be discussed during the Interview were included in a file attached to an email, which
was sent to the Examiner in advance on 07 May 2007. The Examiner had confirmed via phone
that, the email and the attached files were properly received and opened. The Interview was
essentially conducted following the arguments enlisted in such an email attachment, but Applicant

did not have enough time to go over all the arguments therein. The EXHIBIT attached hereto includes a copy of such email and the attached file.

**(B)**    **Claims Discussed**

The claims discussed during the Interview include Claims 61, 81, 82 and 89.

**(C)**    **Prior Art Discussed**

The prior art discussed during the Interview is U.S. Pat. No. 6,353,450 issued to DELEEUW, the primary reference cited in the Final Office Action.

**(D)**    **Proposed Amendment**

None. Applicant had planned to propose further Claim limitation to Claims 68, 83, and 88. But there was not enough time to discuss it.

**(E)**    **General Thrust of Principle Argument**

All the discussion during the Interview were focused on <u>finding of facts</u> as to precisely what is expressly taught/suggested in DELEEUW, the primary prior art reference.

[Note: (i) the Ref. Nos. and FIG. Nos. specified below means the reference numbers and figure numbers in the teachings of DELEEUW; (ii) Absent a video/audio record of the Interview, it's impossible to provide herein the exact quotes of the parties' discussions during the Interview. The following statements represent Applicant's best possible recollection of the discussions between the parties during the Interview.]

After summarizing the claimed invention and issues to be discussed, Applicant pointed out that, In the Final Office Action, the Examiners quoted FIG.2:22 in DELEEUW as "stock price" and "stock quote" in rejecting the claims 61, 81, 82 and 89. HOWEVER, in DELEEUW, the ref no. 22 in FIG. 2 therein is <u>only</u> taught as "<u>Stock Ticker</u>", *not as* stock quote or stock price. SEE FIG. 2; 5:56-59; 6:4-8, which are the only teachings in DELEEUW that directly describe the ref no. 22. [note "5:56-59" means column 5, lines 56-59]

<u>S. Examiner agreed</u>. (see below)

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Applicant Argued:          Absent further description of the term "Stock Ticker" in
DELEEUW, we may rely on dictionaries in finding the meanings of such term.


S. Examiner Argued:          The dictionary definitions are old definition. He could not imagine
in modern days, Deleeuw would use paper tape to show stock price.
[my Note: though showing stock price/quote is not taught in nor an objective of DELEEUW]


Applicant Asked:          whether DELEEUW expressly teaches the term "stock price" or
"stock quote" [my note: since the Examiners' rejections are under 35 U.S.C. §102(b), ONLY what
are exactly taught or suggested in the prior art are relevant]
          The S. Examiner could not pointed out where any of these terms "stock price" or "stock
quote" are taught in DELEEUW. But the S. Examiner repeatedly pointed to ref. no. 22 in FIG. 2.
(see below)


S. Examiner Argued:          the three dots before and after the words "STOCK TICKER" in FIG.
2 means its stock price running across at the bottom of the screen.
          [Note: the S. Examiner's key argument during the entire conversation is, because of the
three dots before and after the words "STOCK TICKER" in FIG. 2, it means there are stock prices
running across at the bottom of the screen (even though that is not expressly taught in
DELEEUW), which means text data are received by the local computer, even though none of
these are taught in DELEEUW, and regardless of the fact pointed out by Applicant that the
associated application program 502 for processing/displaying the incoming data cannot be used
for processing/displaying text data.]


Applicant Argued:          Regardless of what the three dots means, it is not the key issue (and
thus it is not expressly explained in DELEUW). The key issues are, what are exactly
taught/suggested in DELEEUW; whether text data are received by the local computer, whether the
buffer 18 in FIGS. 2 and 5 are provided for storing video data, and whether the ref. nos. 20 and 22
in FIG. 2 are reflection of two physical devices, a stock ticker 22 and a clock 20, that are shown
within a video image.

S. Examiner disagreed that a dictionary can be relied on in explaining the term "stock ticker" in FIG.2. [*i.e.*, it should rely on the S. Examiner's personal interpretation rather than on anything on record (according to Applicant's understanding)]

Applicant Argued:          With respect to "Live Information" received by local computer, throughout the teachings of DELEEUW, live or real-time video imaging reflecting a (physical) "scene" captured by a video camera is described. See, *e.g.*, in DELEEUW, 1:31-33; 1:42-49; 2:55-60; 3:46-50; 11:45-48; 18:42-44. (Notice the keywords "video", "scene", "capture", and "reflect").

S. Examiner Agreed.  S. Examiner Also Argued:

At 12:44-49, DELEEUW also suggests that the data received by local computer may also be from other sources (*i.e.*, other than a video camera), such as from a disk, an Internet server ...

Applicant Argued:          DELEEUW only suggests that incoming data can be from other sources, but does not expressly suggest that other type of data, other than video data, be received from other sources.

S. Examiner Argued:          Since there can be other sources, then the data could also be other type of data, such as text data. [according to Applicant's understanding]

Applicant Argued:          As to other type of data (or text data) being received by the local computer, since it is NOT expressly taught or suggested in DELEEUW, the parties should look at the application program 502 in FIG. 10, since it is the application program that processes and displays the incoming data 500. Moreover, Applicant pointed out:

(i) On page 5 in the Final Office Action, in rejecting Claim 82 the ***Examiner particular refers to the application program 502 in FIG. 10 as equivalent to the claim element of*** "live-information-display component for causing said live component to be constantly situated on said default desktop display ..."

(ii) DELEEUW's specification only provides a brief statement about ref no. 22 in FIG. 2, at 5:56-59 ("In the example shown in FIG. 2, display components such as a clock 20 and **stock**

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ticker 22 are shown as sample **application program** display features which illustrate the **use of transparency** ...".) Thus, the ref no. 22 in FIG. 2 is directly associated with an "Application Program" using "transparency". Such an application program 502 is described in details therein in conjunction with FIGS. 10-11; 11:32-14:29.

[Note: the parties spent the rest of the time, about 25-30 minutes, in discussing such an issue. Applicant repeatedly asked the S. Examiner whether the application program 502 can be used to process/display text data.]

Applicant Argued:  Application program 502 of FIG. 10, including its component, the filter graph 510 of FIG. 11, does not include any component or filter that would process/display any incoming text data received from a remote computer.

S. Examiner Argued:  The filter graph 802 of FIG. 17 does. 17:51-18-36; the filter 800 therein insert sidebars, check boxes, radio button ... into the transparent layer / video frames.

Applicant Argued:  DELEEUS's teaching does not even mention text or text data in describing FIG. 17. The only difference between the filter graph 802 of FIG. 17 and the filter graph 510 of FIG. 11 is the addition of the filter 800. Filter graphs 802 and 510 have same type of incoming data – video data. Those buttons and controls generated by the filter 800 are generated according to the local computer (*i.e.*, local environment), and they are not related to information received from a remote computer.

S. Examiner Argued:  The FIG. 18 also has some text shown.

Applicant Argued:  The texts shown in FIG. 18 are generated by the MS Power Point application (according to the teachings of DELEEUW).

Applicant Asked:  again, whether the application program 502 has any component that would process/display incoming text data, and whether text data are received by the local computer in DELEEUW, after S. Examiner pointed to the similarity between the claim language

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of "live information including text data" and that stock price running through across the bottom of the screen (i.e., according to the S. Examiner's interpretation).

Applicant Argued: DELEEUS does not provide any component within the application program 502 and the filter graph 510 that has any basic text-data-display related functionality, such as control of font, size, color, positions/ text wrapping, etc. (i.e., the functionality of a web browser, a note pad, or a word processor), FIGS. 10-11; 11:32-14:29. [Notice that, (i) Once the data 500 are within the computer system 100, they will be processed by the application program 502/504 (11:39-43) – the starting point of data processing; and (ii) the "video renderer with transparency" 528 is the final data-display related component within the application program 502/510 (13:47-51) – the final point of data processing.]

Applicant Asked: Suppose you have text data, such as "abcd..." received by the local computer, how would you display such data? At the center or at the bottom of the screen? What about the size/color of the texts, and how to wrap the text lines?

S. Examiner Answered: Since there is stock price running through across the bottom of the screen, it means the associated application program can process/display text data.

Applicant Answered: It is because it's a video imaging, not because the application program can handle/process text data. Applicant asked S. Examiner again which components of the application program 502 deal with text data. [Note: it seems that there was a silly "chicken-egg" language game here, i.e., which one should come first, the stock price running through across the bottom of the screen (even though that is not expressly taught in DELEEUW) OR the application program that has the functionality of handling text data]

S. Examiner Argued: It cannot be imagined that DELEEUW would teach using a video camera to shoot a stock ticker and a clock. It would not be feasible.

Applicant Answered: By pointing to ref. no 704 in FIG. 15; ref. no. 528 in FIG. 11; 16:44-54 [note: see also 13:48-51]; and FIG. 2, and by pointing to the data path of the video data in

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FIGS. 10-11, Applicant reminded the S. Examiner that, (i) based on these teaching of DELEEUW, block 704 in FIG. 15 is where the "Transparent Graphic Frame Buffer" is created; (ii) the "Transparent Graphic Frame Buffer" is where the "stock ticker" 22 of FIG. 2 is stored; (iii) FIG. 15 is the detailed process of the filter "Video Renderer with Transparency", which is the component/filter 528 of the filter graph 510 of FIG. 11; and (iv) the "Video Renderer with Transparency" 528 and its process of FIG. 15 is where the application programs 502/510 of FIGS. 10-11 are associated with the description of the buffers shown in FIGS. 2 and 5-6.

Applicant then showed S. Examiner, by pointing to FIGS. 10-11, how video data go through each component/filter therein to arrive at the "Video Renderer with Transparency" 528 of FIG. 11; and during the processing of such "Video Renderer with Transparency" 528, which process is shown in FIGS. 15-16, the "Transparent Graphic Frame Buffer" (in which store the "stock ticker" image (according to the description of FIG. 2)) is created. [Thus, DELEEUS expressly teaches that the "Transparent Graphic Frame Buffer" (which contains the "stock ticker") and hence the stock ticker 22 are a reflection of a real-life scene captured by a camera.]

Applicant asked again whether DELEEUW teaches text data be received by local computer.

S. Examiner Argued:    Any type of data could be received by a computer [i.e., regardless of type of client application; as long as the client computer is physically connected to a remote computer, the data from the remote computer would pop up on the screen by itself (according to Applicant's understanding).]

Applicant Argued:    For any data transfer protocol, such as HTTP or Email protocol for text data transmission, there must be (suitable) client application, such as Email client ... otherwise, it would not work.

S. Examiner Answered:    He would not agree on anything.

**(F)    Other Pertinent Matter Discussed**

None. [Prior to the Interview, Applicant had asked the Examiner several times by phone whether the S. Examiner had enough time to prepare for the Interview, since it was already at the final stage of the prosecution. Each time, Applicant got a firm "yes" answer from the Examiner.]
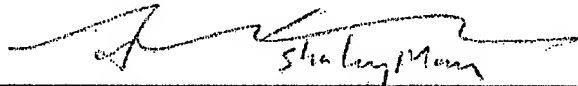
**(G)    Outcome of Interview**

The S. Examiner made it clear at the end of the interview that, he would not agree on anything.

**(H)    Email**

A copy of the email communication, including the email attachment, relating/prior to the Interview is included in the EXHIBIT attached hereto.

Respectfully Submitted

SIGNED ON:  09 May 2007

BY:   Shalong Maa, Ph.D. *Pro Se* Applicant
P.O. Box 600118,
Dallas, TX 75360-0118
sm2k@yahoo.com; (214) 228-8679

# EXHIBIT

(A copy of email communication relating to the Interview between Applicant and the Examiner)

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PAGE 9/19 * RCVD AT 5/9/2007 5:11:31 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-2/2 * DNIS:2738300 * CSID:4692290077 * DURATION (mm-ss):10-20

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**Date:** Mon, 7 May 2007 09:59:47 -0700 (PDT)
**From:** "Shalong Maa Ph.D." <sm2k@yahoo.com>   Add to Address Book   Add Mobile Alert
**Subject:** Pat. App. No. 10/688,269 // Interview
**To:** "Belousov, Andrew" <Andrew.Belousov@USPTO.GOV>
**CC:** James.Myhre@uspto.gov

Mr. Myhre / Mr. Belousov:

        I'd like to confirm that we will have a telephone interview
tomorrow (Tuesday, 08 May 2007) at 1:00pm ET (12:00noon CT).

        The issues I would like to discuss during the interview are
related to the matters in the teachings of DELEEUW that are
newly referred to in the Final Office Action and not referred to
in the first Office Action. They are summarized as follows:

(A)        Ref. no. 22 in FIG.2 in DELEEUW, which is referred to 14
times in rejecting Claims 61, 81, 82, 88, and 89 in the Final
Action. The associated claim elements - "Live Information
Including Textual Data" - is a critical claim element that
distinguish the claimed invention from prior art;
(B)        Dictionary definitions of the term "Stock Ticker", which
is
originally used in DELEEUW (FIG. 2:22);
(C)        DELEEUW 5:65 - 6:20, which is referred to in rejecting
Claims 68, 83, and 88 (Amendments thereto proposed) in the Final
Action. The associated claim element - "Transparent
Window" - is
a critical element that distinguishes the claimed invention from
prior art.

[see the attached file "issues-interview.doc" for details]

If the examiners agree with Applicant's arguments and
allowable
subject matters are found during the interview, Applicant
respectfully requests withdrawal of the finality status of the
rejection. MPEP 706.07(e).

Since it is already at the final stage of the prosecution, it is
respectfully requested that, before the Interview, the Examiner
and the Supervisory Examiner get familiar with the issues,
especially those portions of DELEEUW mentioned herein and in the
attached file. If the Examiners need more time, I would
certainly like to wait until the Examiners are ready.

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The details of the issues I'd like to discuss are included in
the files "issues-interview.doc" (MS-Word) and
"issues-interview.txt" (plain text, identical), which are
attached to this email.

Shalong Maa
Pro Se Applicant
(214) 228-8679

ATTACHMENTS:
(i)         "issues-interview.doc"
(ii)        "issues-interview.txt"


(If you are unable to open the files, please call me ASAP)

P.S. The Interview may take longer than the previous one.

Plain Text Attachment [ Scan and Save to Computer | Save to Yahoo! Briefcase ]

ISSUES TO BE DISCUSSED DURING THE INTERVIEW

        The issues I would like to discuss during the interview are
related to the matters in the teachings of DELEEUW that are newly
referred to in the Final Office Action and not referred to in the
first Office Action. They are summarized as follows:

(A) Ref. no. 22 in FIG.2 in DELEEUW, which is referred to 14
times in rejecting Claims 61, 81, 82, 88, and 89 in the Final
Action. The associated claim elements - "Live Information Including
Textual Data" - is a critical claim element that distinguish the
claimed invention from prior art;
(B) Dictionary definitions of the term "Stock Ticker", which is
originally used in DELEEUW (FIG. 2:22);
(C) DELEEUW 5:65 - 6:20, which is referred to in rejecting
Claims 68, 83, and 88 (Amendments thereto proposed) in the Final
Action. The associated claim element - "Transparent Window" - is a
critical element that distinguishes the claimed invention from
prior art.

-------------------------------------------------
Details


PART I. Live Information Including Textual Data
(Claims 61, 81, 82, 88, and 89)

1.0       Applicant disagrees that the Claim element "Live Information
Including Textual Data" is equivalent to ref no. 22 in DELEEUW
(FIG. 2).

1.1       In the Final Office Action, the Examiners quoted FIG.2:22 in
DELEEUW as "stick price" and "stock quote" in rejecting these
claims. HOWEVER, in DELEEUW, the ref no. 22 in FIG. 2 therein is
only taught as "Stock Ticker", not stock quote or stock price.
SEE FIG. 2; 5:56-59; 6:4-8, which are the only teachings in
DELEEUW that directly describe the ref no. 22.
(AGREE?        )


1.2       Absent further description of the term "Stock Ticker" in

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DELEEUW, we may rely on dictionaries in finding the meanings of such term: (i) in "OXFORD DICTIONARY", ticker - 1. the heart, 2. a watch, 3. a machine that receives and print telegraphed messages onto paper tape; (ii) in "The RANDOM HOUSE DICTIONARY", ticker - a telegraph receiving instrument that automatically print stock price, market reports, etc., on a paper tape.

Thus, it is readily evident that ref no. 22 in FIG.2 in DELEEUW is a reflection of a physical device (stock ticker) captured by a video camera (same with / similar to ref. no. 20, which is also a physical device - a clock).
(Agree ? )

1.3 With respect to "Live Information" received by a computer, throughout the teachings of DELEEUW, live or real-time video imaging reflecting a (physical) "scene" captured by a video camera is described. See, e.g., in DELEEUW, 1:31-33; 1:42-49; 2:55-60; 3:46-50; 11:45-48; 18:42-44. (Notice the keywords "video", "scene", "capture", and "reflect").
(Agree ?)

1.4 DELEEUW's specification only provides a brief statement about ref no. 22 in FIG. 2, at 5:56-59 ("In the example shown in FIG. 2, display components such as a clock 20 and stock ticker 22 are shown as sample application program display features which illustrate the use of transparency …".) Thus, the ref no. 22 in FIG. 2 is directly associated with an "Application Program" using "transparency". Such an application program 502 is described in details therein in conjunction with FIGS. 10-11; 11:32-14:29.
(Agree? )

1.5 As for live-information related application program, it appears that the Examiner agrees that the application program 502 in FIG. 10 in DELEEUW is equivalent to the claim element "live-information-display component" (in rejecting Claim 82, on page 5 in the Final Action). However, DELEEUW only teaches that the application program 502 receives and manages video data received from a video camera or other source, and does NOT teach that the application program 502 receives and handle text data. It does not provide any component within the application program 502 and the filter graph 510 that has any basic text-data-display related functionality, such as control of font, size, color, positions/ text wrapping, etc. (i.e., the functionality of a web browser, a note pad, or a word processor), FIGS. 10-11; 11:32-14:29. [Notice that, (i) Once the data 500 are within the computer system 100, they will be processed by the application program 502/504 (11:39-43) - the starting point of data processing; and (ii) the "video renderer with transparency" 528 is the final data-display related component within the application program 502/510 (13:47-51) - the final point of data processing.]
(Agree? )

1.6 DELEEUW provides a detailed description of the "double buffering technique" in association with display of the transparent graphic frame buffer 18, in which the stock ticker 22 and the clock 20 reside. See 7:58-9:31. The double buffering is for the purpose of providing "smooth update of display data" (8:7-9).

This is another indication that the buffer 18 is provided for storing image frames of a streaming video - the display of a sequence of image frames need to be "updated" in a "smooth" manner using double buffering, by letting the video card 210 read the data from a visible buffer, and in the meantime, writing to the second buffer which is made "non-visible" during such writing. (7:66-8:8). Otherwise, if the data is not a streaming video, such double buffering would be unnecessary, since it takes a lot of memory space, especially when the display layer is to be made transparent and the size of the buffer 18 is made the same as the entire screen.

PART II. Transparent Window Having Finite-Size Mode
(Claims 68, 83, 88)

2.0 The following Claim limitation will be added to Claims 68, 83, and 88:

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said window including a window-control function for causing said
window to be closed or for causing said display area of said
window to be minimized in response to receiving a user input by
said computer system.

2.1        The Examiners state in the Final Action that, in DELEEUW,
the application program 502 in FIG. 10 is the application directly
associated with "transparent window" (the claim element) (PP3
and 7 in the Final Action), and the display content within such
transparent window is FIG.2:22 (P7). I agree.

2.2        The PART I above demonstrates that FIG.2:22 in DELEEUW is
just a portion of a real-life physical scene captured by a video
camera. DELEEUW does NOT teaches that the application program 502
receives data input from two separate data sources at the same
time, such as from two video camera (or one from a text data
source and another from a camera) (FIGS. 10-11; 11:32-14:29). Thus,
items 20 and 22 cannot be in two separate windows.
(Agree?  )

2.3        The fact that the two items or "components" 20 and 22 and
the entire transparent layer are stored within a single frame
buffer 18 (FIG.2) indicates that these two items are not contained
within two separate windows (or one within a window, and the
other rendered as a background). Otherwise, there would be issue of
overlapping. Also Notice that the size of the buffer 18 is made
the same as the size of the operating system output frame buffer
10 (i.e., the entire screen, whereas the claimed transparent
window has a finite-size mode)
(agree?   )

2.4        In DELEEUW, the transparent layer 18 and the related data
are only processed and rendered by the application program
502/510. DELEEUW does not teach that the application program 502/510
includes some basic window-display related functionality, such as
closing or minimizing the window (such functionalities are only
included in the conventional operating system 10). FIGS. 10-11;
11:32-14:29.
           Thus, the items 20 and 22 are not contained within separate
windows (i.e., within the meaning of the claimed invention or
within the meaning of the conventionally understood concept of
"window")
(Agree?  )

2.5        In DELEEUW, the display items 12, 14, and 16 rendered by the
operating system are referred to as "windows"; whereas the
transparent items 20 and 22 are referred to as "display components",
i.e., not as window. (5:65-6:20) Thus, DELEEUW expressly
indicates that the item 20 or 22 are not the same as a window. (Again,
there is no other direct description of the item 22 therein)
(Agree?  )

2.6        DELEEUW expressly states that the transparent layer is
"rendered to the entire screen of the PC's display" (2:55-58)

2.7        In DELEEUW, the transparent layer / video reflection is
employed as a user-input means to "interact with [any] application
program and operating system … much as the user now does with a
mouse …" (3:14-26; 11:45-50).
           Thus it indicates that the transparent layer 18 shall
cover the entire screen; Otherwise, it cannot be used as a
user-input "much as the user does not with a mouse."
(Agree ?   )

PART III CONCLUSION

3.0        I have carefully read the teachings of DELEEUW, and did not
find any other matters therein that pertain to the claim
elements "Live Information" and "Transparent Window".
(Agree? )

4.         If the examiners agree with Applicant's arguments and

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allowable subject matters are found during the interview, Applicant
respectfully requests withdrawal of the finality status of the
rejection. MPEP 706.07(e).

5.          Since it is already at the final stage of the prosecution, it
is respectfully requested that, before the Interview, the
Examiner and the Supervisory Examiner get familiar with the issues,
especially those portions of DELEEUW mentioned herein. If the
Examiners need more time, I would certainly like to wait until the
Examiners are ready

6.          Amendment to Claim 82. (only present it in better form)


Tw= 1,635; 8,355


-1-


**Attachments**                                    Attachment scanning provided by: **Norton AntiVirus**

Files:

Issues_interview.doc (41k) [Preview]          Scan and Save to Computer - Save to Yahoo! Briefcase

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## ISSUES TO BE DISCUSSED DURING THE INTERVIEW

The issues I would like to discuss during the interview are related to the matters in the teachings of DELEEUW that are newly referred to in the Final Office Action and not referred to in the first Office Action. They are summarized as follows:

(A)    Ref. no. 22 in FIG.2 in DELEEUW, which is referred to 14 times in rejecting <u>Claims 61, 81, 82, 88, and 89</u> in the Final Action. The associated claim elements – "Live   ⟩ Information Including Textual Data" – is a critical claim element that distinguish the claimed invention from prior art;

(B)    Dictionary definitions of the term "Stock Ticker", which is originally used in DELEEUW (FIG. 2:22);

(C)    DELEEUW 5:65 – 6:20, which is referred to in rejecting <u>Claims 68, 83, and 88</u> (Amendments thereto proposed) in the Final Action. The associated claim element – "Transparent Window" – is a critical element that distinguishes the claimed invention from prior art.

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Details

## PART I. Live Information Including Textual Data
### (Claims 61, 81, 82, 88, and 89)

1.0    Applicant disagrees that the Claim element "Live Information Including Textual Data" is equivalent to ref no. 22 in DELEEUW (FIG. 2).

1.1    In the Final Office Action, the Examiners quoted FIG.2:22 in DELEEUW as "stick price" and "stock quote" in rejecting these claims. HOWEVER, in DELEEUW, the ref no. 22 in FIG. 2 therein is <u>only</u> taught as "<u>Stock Ticker</u>", not stock quote or stock price. SEE FIG. 2; 5:56-59; 6:4-8, which are the only teachings in DELEEUW that directly describe the ref no. 22.
(AGREE?    )

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1.2      Absent further description of the term "Stock Ticker" in DELEEUW, we may rely on dictionaries in finding the meanings of such term: (i) in "OXFORD DICTIONARY", ticker – 1. the heart, 2. a watch, 3. a machine that receives and print telegraphed messages onto paper tape; (ii) in "The RANDOM HOUSE DICTIONARY", ticker – a telegraph receiving instrument that automatically print stock price, market reports, etc., on a paper tape.

Thus, it is readily evident that ref no. 22 in FIG.2 in DELEEUW is a reflection of a **physical device** (stock ticker) captured by a video camera (same with / similar to ref. no. 20, which is also a physical device – a clock).

(Agree ? )


1.3      With respect to "Live Information" received by a computer, throughout the teachings of DELEEUW, live or real-time video imaging reflecting a (physical) "scene" captured by a video camera is described. See, e.g., in DELEEUW, 1:31-33; 1:42-49; 2:55-60; 3:46-50; 11:45-48; 18:42-44. (Notice the keywords "video", "scene", "capture", and "reflect").

(Agree ?)


1.4      DELEEUW's specification only provides a brief statement about ref no. 22 in FIG. 2, at 5:56-59 ("In the example shown in FIG. 2, display components such as a clock 20 and **stock ticker 22** are shown as sample **application program** display features which illustrate the **use of transparency** ...".) Thus, the ref no. 22 in FIG. 2 is directly associated with an "Application Program" using "transparency". Such an application program 502 is described in details therein in conjunction with FIGS. 10-11; 11:32-14:29.

(Agree? )


1.5      As for live-information related application program, it appears that the Examiner agrees that the application program 502 in FIG. 10 in DELEEUW is equivalent to the claim element "live-information-display component" (in rejecting Claim 82, on page 5 in the Final Action). However, DELEEUW only teaches that the application program 502 receives and manages <u>video data</u> received from a video camera or other source, and <u>does NOT teach that the application program 502 receives and handle text data</u>. It does not provide any component within the application program 502 and the filter graph 510 that has any basic text-data-display related functionality, such as

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control of font, size, color, positions/ text wrapping, *etc.* (*i.e.*, the functionality of a web browser, a note pad, or a word processor), FIGS. 10-11; 11:32-14:29. [Notice that, (i) Once the data 500 are within the computer system 100, they will be processed by the application program 502/504 (11:39-43) -- the starting point of data processing; and (ii) the "video renderer with transparency" 528 is the final data-display related component within the application program 502/510 (13:47-51) -- the final point of data processing.]

(Agree?   )

1.6     DELEEUW provides a detailed description of the "double buffering technique" in association with display of the transparent graphic frame buffer 18, in which the stock ticker 22 and the clock 20 reside. See 7:58-9:31. The double buffering is for the purpose of providing "smooth update of display data" (8:7-9).

This is another indication that the buffer 18 is provided for storing image frames of a streaming video -- the display of a sequence of image frames need to be "updated" in a "smooth" manner using double buffering, by letting the video card 210 read the data from a visible buffer, and in the meantime, writing to the second buffer which is made "non-visible" during such writing. (7:66-8:8). Otherwise, if the data is not a streaming video, such double buffering would be unnecessary, since it takes a lot of memory space, especially when the display layer is to be made transparent and the size of the buffer 18 is made the same as the entire screen.

## PART II. Transparent Window Having Finite-Size Mode
### (Claims 68, 83, 88)

2.0     The following Claim limitation will be added to Claims 68, 83, and 88:

> said window including a window-control function for causing said window to be closed or for causing said display area of said window to be minimized in response to receiving a user input by said computer system.

2.1     The Examiners state in the Final Action that, in DELEEUW, the application program 502 in FIG. 10 is the application directly associated with "transparent window" (the claim element) (PP3 and 7 in the Final Action), and the display content within such transparent window is FIG.2:22 (P7). I agree.

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2.2    The **PART I** above demonstrates that FIG.2:22 in DELEEUW is just a portion of a real-life physical scene captured by a video camera. DELEEUW does NOT teaches that the application program 502 receives data input from two separate data sources at the same time, such as from two video camera (or one from a text data source and another from a camera) (FIGS. 10-11; 11:32-14:29). Thus, items 20 and 22 cannot be in two separate windows.

(Agree? )


2.3    The fact that the two items or "components" 20 and 22 and the entire transparent layer are stored within a single frame buffer 18 (FIG.2) indicates that these two items are not contained within two separate windows (or one within a window, and the other rendered as a background). Otherwise, there would be issue of overlapping. Also Notice that the size of the buffer 18 is made the same as the size of the operating system output frame buffer 10 (i.e., the entire screen, whereas the claimed transparent window has a finite-size mode)

(agree? )


2.4    In DELEEUW, the transparent layer 18 and the related data are only processed and rendered by the application program 502/510. DELEEUW does not teach that the application program 502/510 includes some basic window-display related functionality, such as closing or minimizing the window (such functionalities are only included in the conventional operating system 10). FIGS. 10-11; 11:32-14:29.

Thus, the items 20 and 22 are not contained within separate windows (*i.e.*, within the meaning of the claimed invention or within the meaning of the conventionally understood concept of "window")

(Agree? )


2.5    In DELEEUW, the display items 12, 14, and 16 rendered by the operating system are referred to as "windows"; whereas the transparent items 20 and 22 are referred to as "display components", *i.e.*, **not** as window. (5:65-6:20) Thus, DELEEUW expressly indicates that the item 20 or 22 are not the same as a window. (Again, there is no other direct description of the item 22 therein)

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(Agree? )

2.6    DELEEUW expressly states that the transparent layer is "rendered to the **entire screen** of the PC's display" (2:55-58)

2.7    In DELEEUW, the transparent layer / video reflection is employed as a user-input means to "interact with [any] application program and operating system ... much as the user now does with a mouse ..." (3:14-26; 11:45-50).

Thus it indicates that the transparent layer 18 shall cover the entire screen; Otherwise, it cannot be used as a user-input "much as the user does not with a mouse."

(Agree ? )

## PART III CONCLUSION

3.0    I have carefully read the teachings of DELEEUW, and did not find any other matters therein that pertain to the claim elements **"Live Information"** and **"Transparent Window"**.

(Agree?)

4.    If the examiners agree with Applicant's arguments and allowable subject matters are found during the interview, Applicant respectfully requests withdrawal of the finality status of the rejection. MPEP 706.07(e).

5.    Since it is already at the final stage of the prosecution, it is respectfully requested that, before the Interview, the Examiner and the Supervisory Examiner get familiar with the issues, especially those portions of DELEEUW mentioned herein. If the Examiners need more time, I would certainly like to wait until the Examiners are ready

6.    Amendment to Claim 82. (only present it in better form)

Tw= 1,635; 8,355

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